

"Whereas, because the transportation cost for a high-tonnage, low-value bulk commodity is often a significant part of the total delivered cost of that commodity, a higher shipping cost can frequently keep a bulk commodity from being competitive; and

"Whereas Alaska coal and coal derived fuels are a potential fuel source for utilities and industries on the west coast of the United States and in Hawaii; and

"Whereas the current difference between Jones Act shipping rates and foreign shipping rates has made the delivered cost of foreign coal significantly less expensive than domestic coal as evidenced by the current supply agreements between a Hawaiian independent power producer and an Indonesian coal supplier; and

"Whereas greatly increased coal usage figures prominently in the future generation plans for Hawaiian utilities and thus will create prospective markets for Alaska coal; and

"Whereas it is the policy of the State of Alaska under AS 44.19.035 to persuade the Congress to repeal the Jones Act: Be it

Resolved, That the Alaska State Legislature opposes the application of the Jones Act to bulk commodities, such as coal and coal derived fuels, because of the Acts detrimental effect on Alaska commerce; and be it further

Resolved, That the Alaska State Legislature respectfully requests the Congress to pass legislation exempting Alaska bulk commodities, such as coal and coal derived fuels, from provisions of the Jones Act.

"Copies of this resolution shall be sent to the Honorable Bill Clinton, President of the United States; the Honorable Al Gore, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable Federico Pena, Secretary of the U.S. Department of Transportation; the Honorable Newt Gingrich, Speaker of the U.S. House of Representatives; the Honorable Bob Dole, Majority Leader of the U.S. Senate; and the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress."

POM-485. A resolution adopted by the Legislature of the State of Alaska; to the Committee on Energy and Natural Resources:

"LEGISLATIVE RESOLVE NO. 26

"Whereas the State of Alaska entered into the Union on an equal footing with all other states, and the Statehood Compact specifically granted authority over fish and wildlife to the State of Alaska; and

"Whereas the issue of fisheries management was one of the most prominent justifications for statehood; and

"Whereas the State of Alaska contends that the Statehood Compact cannot be legally modified by either party without the consent of the other party; and

"Whereas the Congress and the President of the United States are presently embarking on a campaign to return rights and authority to the states; and

"Whereas Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA; P.L. 96-487), enacted in 1980, grants a subsistence priority on federal public land in Alaska; and

"Whereas the Secretary of the Interior and the Secretary of Agriculture have threatened unilateral federal preemption of state fish and wildlife management on state and private land and water in Alaska; and

"Whereas the State of Alaska, the federal government, and other parties are attempting to sort out the complexities of the federal law related to jurisdictional issues created by ANILCA; and

"Whereas the legal process for developing a final resolution to the jurisdictional questions is extremely slow, and major social and economic disruption is imminent if the federal government continues on a course to illegally and unconstitutionally preempt state management of fish and wildlife; and

"Whereas the Congress specifically declined to grant preemption authority to the Secretary of the Interior and the Secretary of Agriculture in ANILCA; and

"Whereas the Congress specifically reemphasized that the jurisdiction and authority of the state were to be maintained; and

"Whereas the Alaska State Legislature is confident that the Alaska delegation in the Congress and the people of Alaska would never have agreed to the final compromise ANILCA package had they been advised that ANILCA contained provisions to allow federal preemption of all state fish and wildlife management in Alaska; and

"Whereas the federal agencies and some parties are arguing in recent court cases concerning state/federal jurisdiction that federal reserved water rights and the navigational servitude provide legal basis for a claim of federal title to land and resources; and

"Whereas this interpretation of federal laws related to federal reserved water rights and the navigational servitude is contrary to all existing related laws and policies adopted by the Congress and threatens to undermine existing reserved water rights and navigable waters policies that are critical to all western states: Be it

Resolved, That the Alaska State Legislature respectfully and urgently requests the Congress to amend the Alaska National Interest Lands Conservation Act (ANILCA) to clarify that the original intent of the Congress was not to violate the Statehood Compact or to preempt state management of fish and wildlife in Alaska; and be it further

Resolved, That the Alaska State Legislature respectfully requests that the Congress amend ANILCA to clarify that the definition of "public lands" means only federal public land and water; and be it further

Resolved, That, while the federal courts are resolving the federal/state conflicts created by Title VIII of ANILCA, the Alaska State Legislature respectfully requests that the Congress amend ANILCA to expressly prohibit preemption of state jurisdiction on state and private land and water unless specifically authorized by the Congress and the State of Alaska; and be it further

Resolved, That the Alaska State Legislature respectfully requests the Congress to clarify that neither ANILCA nor another federal law provides authority for the federal agencies to claim title to resources or land through federal reserved water rights or through the navigational servitude; and be it further,

Resolved, That the Alaska State Legislature respectfully requests the Alaska delegation in Congress to oppose any other amendments to ANILCA until the Congress takes action to confirm state management and to limit the definition of "public lands."

"Copies of this resolution shall be sent to the Honorable Al Gore, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable Newt Gingrich, Speaker of the U.S. House of Representatives; the Honorable Strom Thurmond, President Pro Tempore of the U.S. Senate; the Honorable Bob Dole, Majority Leader of the U.S. Senate; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 1196. A bill to transfer certain National Forest System lands adjacent to the townsite of Cuprum, Idaho (Rept. No. 104-189).

By Mr. WARNER, from the Committee on Rules and Administration, without amendment:

S. 426. A bill to authorize the Alpha Phi Alpha Fraternity to establish a memorial to Martin Luther King, Jr., in the District of Columbia, and for other purposes (Rept. No. 104-190).

By Mr. D'AMATO, from the Special Committee To Investigate Whitewater Development Corporation and Related Matters, without amendment and with a preamble:

S. Res. 199. An original resolution directing the Senate Legal Counsel to bring a civil action to enforce a subpoena of the Special Committee to Investigate Whitewater Development Corporation and Related Matters to William H. Kennedy III (Rept. No. 104-191).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 884. A bill to designate certain public lands in the State of Utah as wilderness, and for other purposes (Rept. No. 104-192).

By Mrs. KASSEBAUM, from the Committee on Labor and Human Resources, with an amendment in the nature of a substitute:

S. 1180. A bill to amend title XIX of the Public Health Service Act to provide for health performance partnerships, and for other purposes (Rept. No. 104-193).

By Mr. CHAFEE, from the Committee on Environment and Public Works, without amendment:

H.R. 965. A bill to designate the Federal building located at 600 Martin Luther King, Jr. Place in Louisville, Kentucky, as the "Romano L. Mazzoli Federal Building".

H.R. 1253. A bill to rename the San Francisco Bay National Wildlife Refuge as the Don Edwards San Francisco Bay National Wildlife Refuge.

S. 776. A bill to reauthorize the Atlantic Striped Bass Conservation Act and the Anadromous Fish Conservation Act, and for other purposes.

S. 1315. A bill to designate the Federal Triangle Project under construction at 14th Street and Pennsylvania Avenue, Northwest, in the District of Columbia, as the "Ronald Reagan Building and International Trade Center".

S. 1388. A bill to designate the United States courthouse located at 800 Market Street in Knoxville, Tennessee, as the "Howard H. Baker, Jr. United States Courthouse".

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. HATCH, from the Committee on the Judiciary:

Tommy Edward Jewell III, of New Mexico, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 1998. (Reappointment.)

(The above nomination was reported with the recommendation that he be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first